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Testimony, Bill 8(2013)

City Council, City and County of Honolulu, February 20, 2013

Charles A. Prentiss, Ph.D., Chair, Kailua Neighborhood Board.

Aloha: My name is Chuck Prentiss chairperson of the Kailua Neighborhood Board.

Although we agree that walking a dog directly through a park on a leash to get to the State owned shoreline area should be allowed, the Kailua Neighborhood Board opposes the proposed change to Section 10-1.2 (a) (12) as it is worded in Bill 8 (2013).

As you know, in law, corporations are considered "persons." By saying that a "person" may traverse a park to reach the shoreline, you would be permitting not only individuals, but also commercial corporations and tour companies to use the park to bring in their activities. This is exactly what the community, the Council and the City Administration recently acted to prohibit at Kailua and Kalama Beach Parks. The proposed definition would effectively repeal recent ordinances 12-2 and 12-28.

We also believe that there is a simple solution. That is to change the proposed language in Bill 8 (2013) to add the phrase "for noncommercial purposes." So Section 10-1.2 (a) (12) as proposed in Bill 8 would read:

(12) Enter or remain in any public park during the night hours that the park is closed, provided that signs are posted indicating the hours that the park is closed[.], except that a person may traverse a public beach park FOR NONCOMMERCIAL PURPOSES even during the nighttime hours when the park is closed for purposes of reaching the shoreline.

We believe that this change is consistent with the intent of the Bill, and is a simple way to avoid the unintended consequences.